IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

SUNDAY, THE 6TH AUGUST,2007 /15th SRAVANA, 1929

WP(C).No. 23876 of 2007(P)

PETITIONER:

C.K. JYOTHIRAJ, AGED 39 YEARS,
S/O. C.V. KUNJIKUTTAN, SANDHYA NIVAS, C.M.C.-18,
CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.K.RAMANATHAN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
ALAPPUZHA DISTRICT.

2. THE PRINCIPAL SECRETARY,
REVENUE DEPARTMENT, THIRUVANANTHAPURAM.

3. THE CHAIRMAN,
TODDY WORKERS' WELFARE FUND BOARD,
THIRUVANANTHAPURAM.

4. THE ADDITIONAL TAHSILDAR (R.R),
CHERTHALA, ALAPPUZHA DISTRICT.

5. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY THROUGH THE
GOVT.PLEADER, HIGH COURT OF KERALA, ERNAKULAM.

R1,R2 ,R4 & R5 BY GOVT. PLEADER SRI.I.V.PRAMOD.

R3 BY STANDING COUNSEL SRI.K.HARILAL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 23876 OF 2007 - P

Dated this the 6th day of August, 2007

J U D G M E N T

The petitioner challenges proceedings for recovery of arrears of toddy workers welfare fund dues for which Ext.P1 notice has been issued to them. Admittedly, Ext.P1 notice has been issued to recover the amounts determined as per Ext.P2 order dated 22.5.1998. In the writ petition, the petitioner categorically admits that the petitioner along with his brother and mother filed O.P.No.5279/1999 challenging Ext.P2 order in which this Court directed the petitioner to file statutory appeal before the Government. The petitioner has not chosen to file that appeal. In such circumstances, the petitioner cannot validly challenge Ext.P1 revenue recovery notice at this point of time since Ext.P2 order has become final. In the above circumstances, I am not inclined to entertain this writ petition and the same is dismissed.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007